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STATE OF NEW HAMPSHIRE  
DEPARTMENT OF ENVIRONMENTAL SERVICES  
WATER COUNCIL

JAN 19 2005

IN RE: ROBERT CHAPMAN and CHAPMAN SCRAP METAL RECYCLING

DOCKET NO. 04-22-WC

**ASSENTED-TO MOTION TO CONTINUE PRE-HEARING CONFERENCE**

NOW COME ROBERT CHAPMAN and CHAPMAN SCRAP METAL RECYCLING

of Milan, New Hampshire, and move as follows:

1. The Water Council has scheduled a pre-hearing conference in this case on January 24, 2005.
2. Mr. Chapman and Chapman Scrap Metal Recycling intend to explore resolution of this matter.
3. Counsel for Mr. Chapman has as yet been unable to begin to explore resolution because of the scheduling of other urgent client matters. Additional time is needed to explore resolution.
4. The efficient administration of justice is best served by allowing full exploration of resolution without the need of a hearing. At the same time, Mr. Chapman will be protected from incurring significant expense in connection with preparing for and attending a pre-hearing conference that may not be necessary.
5. Counsel for Robert Chapman and Chapman Scrap Metal Recycling is ill with the flu and will be unable to adequately prepare for the pre-hearing conference currently scheduled on January 24, 2005.

6. A continuance of the pre-hearing conference for a period of thirty (30) days or to the next available date thereafter is requested. Opposing counsel consents to this Motion, and will be unable to attend a pre-hearing conference on February 22 through February 24 as he will be out of state on other business.

WHEREFORE, Robert Chapmand and Chapman Scrap Metal Recycling respectfully request that the hearing be continued for thirty (30) days to allow full exploration and discussion of resolution of the matter as well as to allow adequate preparation for the pre-hearing conference if the matter is not resolved.

Respectfully submitted,

Robert Chapman and Chapman Scrap Metal Recycling

By Its Attorneys,

MCLANE, GRAF, RAULERSON & MIDDLETON,  
PROFESSIONAL ASSOCIATION

By: 

*for* Gregory H. Smith  
Bicentennial Square  
15 North Main Street  
Concord, NH 03301-4945  
603-226-0400

Certificate of Service

I hereby certify that on January 19, 2005, I served the foregoing Motion by hand-delivering a copy to Allen Brooks, Esq. at the NH Dep't of Justice, Environmental Protection Bureau, 33 Capitol Street, Concord, N.H. 03301.

  
*for* Gregory H. Smith